

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

R E C E I V E D

MAR 07 2016

BRIAN KEITH BRAGG,

Plaintiff,

v.

CHARLES ELLIS, et al.,

Defendants.

AT 8:30 _____ M
WILLIAM T. WALSH
CLERK

Civil Action
No. 15-7638 (AET-LHG)

MEMORANDUM OPINION

Thompson, District Judge

1. On October 21, 2015, Brian Keith Bragg, submitted a civil complaint alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983 by various employees of the Mercer County Correctional Center ("MCCC"), including its warden, Charles Ellis. (Docket Entry 1). The Court granted his application to proceed in forma pauperis and directed the Clerk to file the complaint. (Docket Entry 2).

2. On December 8, 2015, Plaintiff filed a motion for preliminary injunction and temporary restraining order, alleging that since the filing of his complaint, he has been subjected to threats of violence by MCCC staff and inmates. (Docket Entry 4 ¶¶ 3-6). Plaintiff alleged Warden Ellis was non-responsive to his requests for protection. (Docket Entry 4 ¶ 7).

3. On December 9, 2015, this Court, having screened the complaint pursuant to 28 U.S.C. § 1915, permitted the complaint

to proceed in part and ordered summonses issued. (Docket Entries 5 and 6).

4. On January 21, 2016, counsel for Defendants informed the Court that Plaintiff was released from MCCC on January 19, 2016. Defendants are unaware of Plaintiff's present mailing address. (Docket Entry 23).

5. By Order dated January 27, 2016, this Court administratively terminated the complaint pursuant to Local Civil Rule 10.1(a) due to Plaintiff's failure to notify the Court of his address change. (Docket Entry 28).

6. The Court ordered Plaintiff to provide an updated address within 30 days of the Order and noted that failure to comply with the Order may result in the complaint being dismissed for lack of prosecution. (*Id.*). The Clerk was ordered to serve Plaintiff with the Order at his last known address.

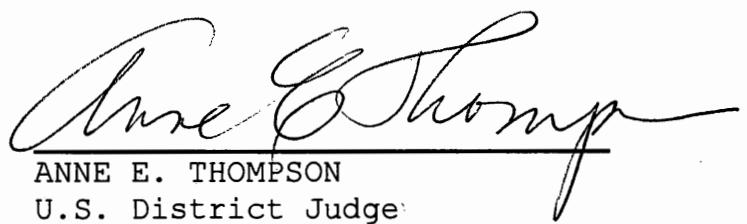
7. Plaintiff has not complied with the Court's Order. Mail sent to Plaintiff at MCCC continues to be returned as undeliverable.

8. As the Court does not have a current address for Plaintiff, the matter cannot proceed at this time. The Court finds Plaintiff has abandoned this litigation and will therefore dismiss the complaint without prejudice.

9. Plaintiff may move to reopen this litigation if he can demonstrate good cause as to why he failed to comply with the Local Rules and this Court's Orders.

10. An appropriate Order follows.

3-7-16
Date


Anne E. Thompson
ANNE E. THOMPSON
U.S. District Judge